

Panaji, 5th March, 2008 (Phalguna 15, 1929)

SERIES I No. 48

# OFFICIAL GOVERNMENT OF GOA GAZETTE



## EXTRAORDINARY No. 3

### GOVERNMENT OF GOA

Department of Law &amp; Judiciary

Legal Affairs Division

#### Notification

8/3/2008-LA

The Goa Tax on Infrastructure (Amendment) Third Ordinance, 2008 (Ordinance No. 3 of 2008), which has been promulgated by the Governor of Goa on 29-2-2008, is hereby published for general information of the public.

*Sharad G. Marathe*, Joint Secretary (Law).

Porvorim, 5th March, 2008.

#### The Goa Tax on Infrastructure (Amendment) Third Ordinance, 2008

(Ordinance No. 3 of 2008)

*Promulgated by the Governor of Goa in the  
Fifty-ninth Year of the Republic of India.*

An Ordinance further to amend the Goa Tax on Infrastructure Act, 1997 (Goa Act 12 of 1997).

Whereas the Goa Tax on Infrastructure (Amendment) Ordinance, 2007 (Ordinance No. 2 of 2007) was promulgated by the Governor of Goa on 19th day of March, 2007;

And whereas the Goa Tax on Infrastructure (Amendment) Bill, 2007 (Bill No. 18 of 2007) was listed for introduction on 26th day of July, 2007, but the same could not be introduced to replace

the said Ordinance No. 2 of 2007 in the Legislature of the State and hence, the Goa Tax on Infrastructure (Amendment) Second Ordinance, 2007 (Ordinance No. 4 of 2007) was promulgated by the Governor of Goa on 27th day of August, 2007:

And whereas the Goa Tax on Infrastructure (Amendment) Bill, 2008 (Bill No. 3 of 2008) was listed for introduction on 16th and 17th day of January, 2008, but the same could not be introduced to replace the said Second Ordinance No. 4 of 2007 in the Legislature of the State;

And whereas the Legislative Assembly of the State of Goa is not in session and the Governor of Goa is satisfied that circumstances exist which render it necessary for him to take immediate action.

Now, therefore, in exercise of the powers conferred by clause (1) of Article 213 of the Constitution of India, the Governor of Goa is pleased to promulgate the following Ordinance, namely:—

1. *Short title and commencement.*— (1) This Ordinance may be called the Goa Tax on Infrastructure (Amendment) Third Ordinance, 2008.

(2) It shall be deemed to have come into force on the 19th day of March, 2007.

2. *Amendment of section 2.*— In section 2 of the Goa Tax on Infrastructure Act, 1997 (Goa Act 12 of 1997) (hereinafter referred to as the “principal Act”),—

(i) after clause (4), the following clause shall be inserted, namely:—

“(4A) “industrial building” means any building constructed for the purpose of carrying out medium and large scale industrial activities within or outside the area earmarked as industrial estates/areas but does not include buildings constructed for carrying out small scale industrial activity;”

(ii) in clause (6), the words “industrial enterprises” shall be omitted.

3. *Substitution of section 3.*— For section 3 of the principal Act, the following section shall be substituted, namely:—

“3. *Tax on Infrastructure.*— Any person who has constructed a multi-dwelling building or an industrial building, in respect of which the construction licence has been issued on or after 1-4-2006, shall, before grant of permission for occupation or use of such building, or part thereof, be liable to pay a tax at the rate of rupees forty per square meter of the floor area of such building as Infrastructure tax.”.

4. *Amendment of section 5.*— In section 5 of the principal Act, in sub-section (1), for the expression “multi-dwelling building”, the expression “multi-dwelling building or industrial building, as the case may be,” shall be substituted.

5. *Amendment of section 7.*— In section 7 of the principal Act, for the expression “multi-dwelling building”, the expression “multi-dwelling building, or industrial building, as the case may be,” shall be substituted.

6. *Repeal and saving.*— (1) The Goa Tax on Infrastructure (Amendment) Second Ordinance, 2007 (Ordinance No. 4 of 2007) is hereby repealed.

(2) Notwithstanding the repeal of the Goa Tax on Infrastructure (Amendment) Second Ordinance, 2007 (Ordinance No. 4 of 2007), anything done or any action taken under the principal Act, as amended by the said Second Ordinance No. 4 of 2007 shall be deemed to have been done or taken under the principal Act, as amended by this Ordinance.

Place: Raj Bhavan,  
Dona Paula.

S. C. JAMIR,  
Governor of Goa.

Date: 29-2-2008.

## Notification

8/4/2008-LA

The Goa Town and Country Planning (Amendment) Ordinance, 2008 (Ordinance No. 4 of 2008), which has been promulgated by the Governor of Goa on 29-2-2008, is hereby published for general information of the public.

Sharad G. Marathe, Joint Secretary (Law).

Porvorim, 5th March, 2008.

## The Goa Town and Country Planning (Amendment) Ordinance, 2008

(Ordinance No. 4 of 2008)

*Promulgated by the Governor of Goa in the  
Fifty-ninth Year of the Republic of India.*

An Ordinance further to amend the Goa, Daman and Diu Town and Country Planning Act, 1974 (Act 21 of 1975).

Whereas the Legislature of the State of Goa is not in session and the Governor of Goa is satisfied that circumstances exist which render it necessary for him to take immediate action.

Now, therefore, in exercise of the powers conferred by clause (1) of Article 213 of the Constitution of India, the Governor of Goa is pleased to promulgate the following Ordinance, namely:—

1. *Short title and commencement.*— (1) This Ordinance may be called the Goa Town and Country Planning (Amendment) Ordinance, 2008.

(2) It shall come into force at once.

2. *Substitution of section 16.*— For section 16 of the Goa, Daman and Diu Town and Country Planning Act, 1974 (Act 21 of 1975) (hereinafter referred to as the “principal Act”), the following section shall be substituted, namely:—

“16. *Effect of regional plan.*— On and from the date of publication of the regional plan under section 15 for an area, all development programmes undertaken within that area by any private institution or by any other person shall

conform to the provisions of such regional plan. However, public projects/schemes/development works, undertaken by the Central or the Government, shall be in conformity with the rules framed and procedures laid down by the Government for such projects/schemes/development works."

3. *Amendment of section 16A.*— For sub-section (1) of section 16A of the principal Act, the following sub-section shall be substituted, namely:—

"(1) No person shall undertake any work of development in contravention of any provision of the regional plan as in force, except the projects/schemes/development works undertaken by the Central or the Government, either by himself or through his servant or agent or any other person and all such development work shall be in conformity with the provisions of the regional plan."

Place: Dona Paula.

S. C. JAMIR,  
Governor of Goa.

Date: 29-2-2008.